

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JASON LEE SONNTAG,  
Plaintiff,  
vs.  
GURRES, *et al.*,  
Defendants.

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3:09-cv-00637-ECR-VPC

**ORDER**

This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983. Federal courts must conduct a preliminary screening in any case in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity. *See* 28 U.S.C. § 1915A(a). In its review, the court must identify any cognizable claims and dismiss any claims that are frivolous, malicious, fail to state a claim upon which relief may be granted or seek monetary relief from a defendant who is immune from such relief. *See* 28 U.S.C. § 1915A(b)(1),(2). On July 1, 2010, this Court entered a screening order in this action, dismissing some claims and defendants, while allowing others to proceed. (ECF No. 11).

Presently before the Court is a motion for clarification of the Court's screening order, filed by defendants on July 10, 2012. (ECF No. 168). Plaintiff has filed no opposition to the motion. In the motion, defendants point out that in the screening order, this Court determined that plaintiff fails to

1 state a cognizable claim against defendants Furcher and Sturm in Count V of the complaint. (ECF  
2 No. 11, at p. 7). This is an accurate characterization of the Court's screening order. Plaintiff did not  
3 allege facts anywhere in the complaint to state a cognizable claim against defendants Furcher and  
4 Sturm. As such, these two defendants should have been dismissed from this action in the screening  
5 order. The Court grants defendants' motion for clarification and now dismisses defendants Furcher  
6 and Sturm from this action, as specified below. *See* 28 U.S.C. § 1915A(a); 28 U.S.C.  
7 § 1915A(b)(1),(2).

8 **IT IS THEREFORE ORDERED** that defendants' motion for clarification (ECF No. 168) is  
9 **GRANTED**.

10 **IT IS FURTHER ORDERED** that defendants Furcher and Sturm are **DISMISSED WITH**  
11 **PREJUDICE** from this action.

12 Dated this 21<sup>st</sup> day of September, 2012.

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14 UNITED STATES DISTRICT JUDGE